

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

SUNNY L. POWE,

Defendant.

Case No. 21-CR-30008-SPM

MEMORANDUM AND ORDER

McGLYNN, District Judge:

This matter comes before the Court on Defendant Sunny L. Powe’s *pro se* Motion for Sentence Reduction pursuant to 18 U.S.C. § 3582(c) and the United States Sentencing Guidelines Manual § 1B1.10 [hereinafter Sentencing Guidelines], making Amendment 821 retroactive (Doc. 150).

On February 7, 2024, Assistant Federal Public Defender Todd M. Schultz was appointed to represent Defendant Powe pursuant to Administrative Order 362. (*See* Doc. 153). On February 23, 2024, Attorney Schultz filed a Motion to Withdraw as Attorney because he could “discern no non-frivolous basis for seeking relief for Defendant.” (Doc. 155, p. 2). The United States Probation Office completed a worksheet on Defendant Powe indicating that she does not qualify for a sentence reduction pursuant to Amendment 821. (*See* Doc. 155). Notably, she did not receive any status points and is not a zero-point offender, categorically precluding her from relief under Amendment 821. (*See* Doc. 155, p. 1 (citing Doc. 105, ¶ 55)); Sentencing Guidelines § 4C1.1(a)(1).

Accordingly, Defendant Powe's *pro se* Motion for Sentence Reduction pursuant to Amendment 821 (Doc. 150) is **DENIED**. Attorney Schultz's Motion to Withdraw as Attorney (Doc. 155) is **GRANTED**.

IT IS SO ORDERED.

DATED: April 1, 2024

s/ Stephen P. McGlynn
STEPHEN P. McGLYNN
U.S. District Judge